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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,391	09/26/2003	Denny Jaeger	4334	8531

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Harris Zimmerman
Law Offices of Harris Zimmerman
Suite 710
1330 Broadway
Oakland, CA 94612-2506

EXAMINER	
TRAN, MYLINH T	

ART UNIT	PAPER NUMBER
2179	

DATE MAILED: 08/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/672,391	JAEGER, DENNY	
	Examiner	Art Unit	
	Mylinh Tran	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 May 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *02/10/06*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Applicant's Amendment filed 05/30/06 has been entered and carefully considered. Claims 1, 12 and 23 have been amended. However, the limitations of the amended claims have not been found to be patentable over prior art of record, therefore, claims 1-28 are rejected under the new ground of rejection as set forth below.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-6, 8-10, 12-17, 19-21, 23-25 and 27 are rejected under 35 U.S.C. 102(e) as being unpatentable by Allan [US. 2004/0111488] in view of Fahraeus et al. [US. 2002/0008721].

As to claims 1, 12 and 23, Allan teaches a computer implemented method and corresponding apparatus for recording and replaying property changes of graphic elements in a computer environment comprising the steps/means for recording graphical and functional information of said graphic elements as properties of said graphic elements are changed (page 3, 0032); and

replaying at least a portion of recorded changes pertaining to said properties of said graphic elements using said graphical and functional information (page 3, 0034); Allan fails to clearly teach said graphical and functional information including physical positional changes of said graphic elements, physical state changes of said graphic elements and actions caused by said graphic elements. However, Fahraeus et al. teach the features at the abstract, page 1, 0015 and page 2, 0028. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the Fahraeus's teachings with Allan's teachings. Motivation of the combination would have been to keep user's interactions in record for benefit later.

As to claims 2, 13 and 24, Allan also teaches the recording including extracting said graphical and functional information of said graphic elements from broadcast messages and saving said graphical and *functional* information as recording data (page 3, 0034). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the Fahraeus's teachings with Allan's teachings. Motivation of the combination would have been to keep user's interactions in record for benefit later.

As to claims 3 and 14, Allan shows the graphical and functional information corresponding to said property changes as results of user interactions on said graphic elements (page 3, 0032). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the Fahraeus's teachings with Allan's teachings. Motivation of the combination would have been to keep user's interactions in record for benefit later.

As to claims 4 and 15, Allan also shows the broadcast messages including a message that contains sufficient information to recreate a particular graphic element of said graphic elements from scratch (page 3, 0034). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the Fahraeus's teachings with Allan's teachings. Motivation of the combination would have been to keep user's interactions in record for benefit later.

As to claims 5 and 16, Allan discloses said message containing property values of said particular graphic element, said property values including at least one of color value, control value and positional value (page 3, 0034).

As to claims 6, 17 and 25, Allan also discloses the replaying including processing said recording data using predefined time intervals to effectuate said property changes of said graphic elements for replay (page 5, 0059-0060). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the Fahraeus's teachings with Allan's teachings. Motivation of the combination would have been to keep user's interactions in record for benefit later.

As to claims 8, 19 and 27, Allan also provides the replaying including manipulating real operational graphic elements (page 3, 0035-0037).

As to claims 9 and 20, Allan demonstrates recording including separately recording said graphical and functional information for each of said graphic elements as recording data that can be used to form unique data streams corresponding to different histories of property changes for said graphic

elements (page 4, 0052 and page 6, 0064). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the Fahraeus's teachings with Allan's teachings. Motivation of the combination would have been to keep user's interactions in record for benefit later.

As to claims 10 and 21, Allan also demonstrates the replaying including processing said recording data to run said unique data streams in parallel to replay said property changes of said graphic elements (page 4, 0041). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the Fahraeus's teachings with Allan's teachings. Motivation of the combination would have been to keep user's interactions in record for benefit later.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 7, 11, 18, 22, 26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allan [US. 2004/0111488] in view of Fahraeus et al. [US. 2002/0008721].

As to claims 7, 18 and 26, Allan fails to clearly teach the replaying including generating an update message that combines some of said property changes for a particular graphic element in response to a user input changing a current replay time to a different replay time. However, suggested that the replay time could be changed depending on user's desired was well known in the computer art. Official notice is taken that the replaying including generating an update message was well known. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the well known implementation of generating an update message with Allan's teachings. Motivation of the combining is for the advantage of the convenience.

As to claims 11, 22 and 28, Allan fails to clearly teach "temporarily disabling screen updating process; resetting said computer environment to a recorded state at a particular time using said graphical and functional information of said graphic elements; and

enabling said screen updating process to display said recorded state of said computer environment". However, suggested that the recording time could be changed depending on user's desired was well known in the computer art. Official notice is taken that the step of resetting was well known in the art. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the well known implementation with Allan's teaching. Motivation of the combining is for the advantage of the convenience.

Response to Arguments

Applicant's arguments with respect to claims 1, 12 and 23 have been considered but are moot in view of the new ground of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo, can be reached at 571-272-4847.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

571-273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mylinh Tran

Art Unit 2179

RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173